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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/037,595	01/04/2002	Michael Edward Baskey	ROC920010193US3	6369

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EXAMINER

QURESHI, SHABANA

ART UNIT	PAPER NUMBER
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2155

DATE MAILED: 03/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/037,595

Applicant(s)

BASKEY ET AL.

Examiner

Shabana Qureshi

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 January 2002.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-34 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-34 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 04 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This action is responsive to application filed on Jan. 4, 2002. Claims 1-34 are pending examination.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 4-25 and 27-34 are rejected under 35 U.S.C. 102(e) as being anticipated by Ofek, U.S. Patent No. 6,654,752.

As to claims 1, 12, Ofek teaches a method, computer readable medium and computer respectively of processing messages in a computer, comprising:

providing a system-supplied buffer to a sockets server application (see col. 8 lines 30-57 and col. 29 lines 49-60, a control program is used to control the buffer space using a gatekeeper where the gatekeeper is a socket connection);

reading data into the system-supplied buffer (see col. 8 lines 17-60, the buffer receives a set of commands); and

sending the data from the system-supplied buffer to another computer via a network (see col. 8 lines 17-60, the buffer retrieves the data and sends the data to another computer through the network).

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As to claim 24, Ofek teaches a computer in a distributed environment, comprising: a network interface configured to support a network connection with at least one other computer in the distributed environment; a memory containing contents comprising: an operating system;

a sockets server application; a sockets-based communication facility; system-owned memory space from which to allocate system-supplied buffers (see col. 8 lines 17-60); and

application-owned memory space owned by the sockets server application; and a processor configured by at least a portion of the contents to perform operations for processing client-server messages (see col. 8 lines 17-60), the operations comprising:

providing a system-supplied buffer to the sockets server application for use in sending data to the at least one other computer (see col. 8 lines 17-60).

As to claims 2 and 25, Ofek teaches the method and computer of claims 1 and 25 respectively, wherein the messages are client-server messages (see col. 8 lines 17-60).

As to claims 4, 14 and 29-30, Ofek teaches the method, medium and computer of claims 1, 12 and 24 respectively, wherein the system-supplied buffer is provided to the sockets server application from a socket of the computer and wherein sending comprises: returning the system-supplied buffer to the socket of the computer via an application request; and detaching the system-supplied buffer from the application request to allow the sockets server application to continue processing while sending the data (see col. 9 lines 23-52).

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As to claims 5, 15 and 27, Ofek teaches the method, medium and computer of claims 1, 12 and 24, wherein sending is performed without first copying the data into another buffer (see col. 9 lines 23-52).

As to claims 6 and 16, Ofek teaches the method and medium of claims 1 and 12, wherein the reading is performed by the sockets server application (see col. 9 lines 23-52).

As to claims 7 and 17, Ofek teaches the method and medium of claims 1 and 12, further comprising, prior to providing the system-supplied buffer to the sockets server application: receiving, by a socket, other data from the another computer via the network; and allocating the system-supplied buffer to contain the other data (see col. 9 lines 23-52).

As to claims 8, 18 and 28, Ofek teaches the method, medium and computer of claims 1, 12 and 24, wherein providing the system-supplied buffer to the sockets server application comprises acquiring, by a socket, the system-supplied buffer from memory space not owned by the sockets server application (see col. 9 lines 23-52).

As to claims 9, 19 and 31, Ofek teaches the method, medium and computer of claims 1, 12 and 24, wherein the system-supplied buffer is provided to the sockets server application by a socket in response to a buffer acquisition function call from the sockets server application (see col. 9 lines 23-52).

As to claims 10, 20 and 32, Ofek teaches the method, medium and computer of claims 1, 12 and 24, wherein the system-supplied buffer is provided to the sockets server application by a socket after the sockets server application requests client data received on a client connection with the another computer (see col. 9 lines 23-52).

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As to claims 11, 21 and 33, Ofek teaches the method, medium and computer of claims 10, 20 and 32, wherein providing the system-supplied buffer comprises allocating the system-supplied buffer according to a size of the client data (see col. 9 lines 65-col. 10 lines 5).

As to claim 22, Ofek teaches the computer readable medium of claim 20, wherein the receive operation is configured with a buffer mode parameter indicating to the socket a buffer acquisition method for acquiring system-supplied buffer (see col. 9 lines 23-52).

As to claims 23 and 34, Ofek teaches the computer readable medium and computer of claims 22 and 32, wherein the receive operation is further configured with a record definition specifying to the socket a format of the client data (see col. 9 lines 23-52).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 3 and 26 rejected under 35 U.S.C. 103(a) as being unpatentable over Ofek in view of Giorgio et al., U.S. Patent No. 5,991,829 (referred to hereafter as Giorgio).

Ofek teaches a system and method of sending and receiving data through a network using socket connections (see the rejections of claims 1 and 24). Ofek does not explicitly teach the limitation “the data is sent over a sockets streaming protocol”.

However Giorgio teaches a system and method of sending and receiving data between a server and a client using sockets streaming protocol (see col. 5 lines 46-col. 6 lines 10). It would have been obvious for one of the ordinary skill in the art at the time of the invention to modify Ofek by incorporating a streaming protocol because doing so would guarantees a reliable data stream between communication nodes and provide a transparent and reliable connection between application code and the network interface.

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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shabana Qureshi whose telephone number is (571) 272-3990.


The examiner can normally be reached on Monday - Thursday, 9:30 am to 6:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain T. Alam can be reached on (571) 272-3978. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Shabana Qureshi
Examiner
Art Unit 2155

SQ
March 19, 2005


HOSAIN ALAM
SUPERVISORY PATENT EXAMINER